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November 5, 1962

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MEMORANDUM

SUBJECT: Long-Term Verification Measures Regarding Cuba: A Demuclearized Zone

This memorandum will sketch out a method for combining OAS, UN, and ad hoc Western Hemisphere nuclear free zone arrangements to provide long-term inspection insuring that nuclear weapons and delivery means are not reintroduced into Cuba. It is assumed that the United States should be a party to such arrangements, and that the USSR should not.

Step 1 — The Brazilians are assumed to modify their draft resolution in such a way that it will be acceptable to the United States, and it is further assumed that the Brazilian resolution is adopted by the General Assembly. The resolution provides, *inter alia*, that nations of the region concerned should work out arrangements, and also that the Secretary General of the UN should make himself available to carry out any arrangements for administration and inspection that might be involved.

Step 2 — The Council of the OAS would be called into session to endorse the idea of establishing a demuclearized zone, and either the Council or some member or members—say, Brazil—could informally be designated to convene a special ad hoc conference either in Latin America or in New York. All members of the OAS, and Cuba, would be invited.

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Step 3 -- The ad hoc meeting of American States, including the US and Cuba, would meet and reach agreement on a multilateral treaty providing that "those American Republics which did not possess nuclear weapon capabilities at the time of their adherence to the Inter-American Treaty of Reciprocal Assistance" would undertake and agree not to acquire or permit basing of nuclear weapons and delivery means. In this way, the US would be a member of the organization without of course demilitarizing. The ad hoc conference would request the Secretary General of the UN to assist them by establishing a UN presence to check on compliance by the countries of the zone which had undertaken not to own or serve as hosts for nuclear weapons.

The treaty establishing a demilitarized zone would set forth the obligations summarized above, establish an Executive Body to which complaints of noncompliance could be addressed, set forth guidelines for verification of the treaty obligations and provide the necessary sanctions.

The Executive Body would be composed of all participating members, which would include all members of the OAS, including the US, and Cuba. Any member could report suspicion of violation; a simple majority of the Executive Body could then direct an inspection to determine whether a violation had occurred. The

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inspection itself would be conducted by technically competent neutrals selected (perhaps from a predetermined panel) by the SIG of the UN. (Appropriate neutrals would include Sweden, Switzerland, and Japan.) The inspectors would operate on the basis of guidelines for verification set up in the treaty itself, and would include aerial and surface observation as necessary. The inspectors would then report whatever evidence they had found, and would report whether they had been given sufficient access to investigate the suspected violation. The Executive Body would then decide by a two-thirds majority that a violation had occurred, or must be presumed to have occurred as a result of refusal of cooperation by the suspected state, or that no violation had occurred. In the event that the Executive Body decided that a violation had occurred or must be presumed to have occurred the treaty itself would provide automatic sanction. The proven or presumptive violation would be defined by the treaty itself to constitute a threat to the peace authorizing individual or collective self defense under Article 8 of the Rio Treaty.

Alternatively, the treaty could provide that the inspectors themselves report that a violation had occurred, had not occurred, or that they had been refused sufficient cooperation to determine. In this case, there would be no need for an additional vote by the Executive Body and sanction would be authorized as above.<sup>7</sup>

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The Demuclearization Obligation — The obligation assumed by the nonnuclear participating states should be stated as follows:

Not to acquire or seek to acquire nuclear weapons, not to acquire or seek to acquire missiles or aircraft designed for carrying such weapons, and not to construct launching facilities for such missiles or strategic facilities for such weapons; and not to permit the storage, stationing, manufacture, or testing of such weapons or delivery vehicles, or construction of such facilities in territory under their jurisdiction and control.

Our Man in Havana — Assuming that Cuba participates, and if the Cubans would prefer or not object, a UN presence on behalf of the zonal states might be established in Havana. This would not, of course, be essential, but it would be convenient. Castro, for his part, might find some advantage in such an arrangement as a deterrent to invasion.

Other Assurances — The question of a US or OAS commitment not to invade Cuba or to respect Cuban independence would not be linked with the demuclearized zone.

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